United Nations A/50/PV.48

General Assembly

Official Records

Fiftieth Session

48th plenary meeting
Thursday, 2 November 1995, 10 a.m.
New York

President: Mr. Freitas do Amaral . . . . . (Portugal)

The meeting was called to order at 10.25 a.m.

In the absence of the President, Mr. Berrocal Soto (Costa Rica), Vice-President, took the Chair.

Agenda item 27

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Report of the Secretary-General (A/49/401 and Add.1)

Draft resolution (A/50/L.10)

The Acting President (*interpretation from Spanish*): I call on the representative of Cuba to introduce draft resolution A/50/L.10.

Mr. Rodríguez Parrilla (Cuba) (*interpretation from Spanish*): It is quite a paradox that in the midst of the celebrations for the fiftieth anniversary of the United Nations, and for the fourth consecutive year, my country finds itself once again obliged to condemn one of the most flagrant acts of aggression ever committed against any people. This act is all the more serious and reprehensible in that it is being committed by a world super-Power against a small and proud nation, such as the one that I have the honour of representing.

This is the case of the economic, commercial and financial blockade that for more than 34 years has been imposed by the Government of the United States against Cuba, in violation of the most fundamental norms of international law, of peaceful coexistence among sovereign and independent nations, and of freedom of trade and navigation.

Furthermore, it is regrettable that this systematic and reinforced policy of economic strangulation of the Cuban people throughout the country's economic and social life is being carried out in open defiance of the international community and ignoring three successive resolutions of the United Nations General Assembly. Those resolutions, adopted by an increasingly wide majority, have stated the need to put an end to the blockade against Cuba and rejected its extraterritorial nature.

It is an indisputable fact that the blockade against Cuba is continuing and being intensified.

Not only is the group of laws and regulations governing this policy of permanent economic aggression still in force, but new steps are being taken to strengthen and expand them, particularly as concerns their extraterritorial implications for third States. Actions to this end have just been approved by the House of Representatives and Senate of the United States Congress.

95-86495 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Today as never before, and in the most diverse ways, the blockade continues to affect the recovery of the Cuban economy and the living standards of our people. Today again, an entire arsenal of mechanisms and procedures is being fully deployed and fine-tuned, in order accurately to monitor Cuba's external economic relations and to ensure the extraterritorial implementation of the blockade by, *inter alia*, bringing a broad range of pressures to bear on Cuba's potential economic partners, and through a relentless persecution, which includes working covertly against Cuba's economic activities abroad, especially those relating to capital investments and crucial areas of the Cuban economy.

The so-called "Torricelli Act" of 1992, whose basic goal is to cut off Cuba's trade with subsidiaries of United States companies based in third countries, and which was strongly rejected in this very forum, is still fully in force in the legal system of that country and is being strictly implemented according to its statutory provisions.

As a result of the provisions introduced by that Act against freedom of trade and navigation, most carriers are demanding higher-than-normal freight charges from Cuba, claiming that if they enter any Cuban port, their ships will not be admitted to any United States port until 180 days have elapsed. For example, in the state of Virginia, the authorities have included, in the official port-related documentation required of carriers, an affidavit stating that they have not entered any Cuban port for 180 days prior to their arrival in Virginia.

Owing to the surcharge on some imported goods that the blockade obliges us to purchase in markets that are far distant from Cuba's natural trading environment, and because of the increase in transport costs, the loss to our national economy is reported to have increased to $60 million during 1994, and the figure is approximately the same for this year.

Moreover, in 1994 and 1995 trade between Cuba and subsidiaries of United States companies based in third countries have been reduced to virtually zero — although such trade had amounted to $718 million in 1991 — owing to the suspension of licenses issued by the Treasury Department as part of the extraterritorial effects of the aforementioned Act, thereby seriously affecting our purchases of foodstuffs and medicines for our people.

Moreover, there is still a ban on any foreign company's selling to Cuba medications, medical equipment or medical supplies that may contain components or technology of United States origin, even if the company involved is not a subsidiary of a United States corporation. As can be seen from the Secretary-General's report, the most recent effects of this type of regulation is the damages that have been incurred by companies from the United Kingdom, Denmark, Germany, Belgium, Italy and Australia, *inter alia*, which have historically had trade transactions with Cuba.

All in all, taking into account the revenues not received and the additional disbursements caused by the blockade, the total damage to the Cuban economy in 1994 is estimated at more than $1 billion, which accounts for 50 per cent of the country's total imports for that year. This is in addition to damages reported to the Assembly in prior years.

The Secretary-General's report contains detailed information on the damage caused to our country's economy and to our people's quality of life, as well as on some of the actions taken to frustrate Cuba's trade operations with third Governments and companies that are not subject to United States jurisdiction, which provides further evidence of the extraterritorial nature of the United States policy against my country.

Similarly, it is hard to believe that these actions have gone so far as to pressure the Governments of some developing countries into not buying new products, some of them unique, of Cuba's biotechnological industry, with no thought for the thousands of lives that our vaccines and other medicines, which are of proven effectiveness, could help save.

Yet the people of Cuba, and in particular our children, our pregnant women, our senior citizens and the ill, are daily victims of the continuing and stepped-up blockade against Cuba. Ever-greater damage is being done in the areas of health and education, two spheres in which our people, and people throughout the developing world, have always taken pride.

The Secretary-General's report clearly describes the impact of this policy on the decreasing nutritional levels of the Cuban population, and makes reference to the emergence of hitherto unheard-of health problems among the sectors that are most at risk, a fact that has been corroborated by international bodies and United Nations organs.

One example will suffice to illustrate the criminal nature of the blockade: the only two companies, both of

them in third countries, that supplied pacemakers for patients suffering from heart disease have stopped doing so, one because the devices contained components made in the United States and the other because it was absorbed by a company based in the United States.

Our united and heroic people have endured the consequences of the blockade with great suffering and daily shortages. At a time when the United Nations is commemorating its fiftieth anniversary, it is deplorable that an entire people should be suffering as a result of a unilateral political decision. It is hard to believe that this crime, which could also be stopped by a unilateral political decision on the part of the United States, should continue to be committed day after day.

If the consequences of this aggressive policy against us have not been worse, if there are no Cuban homeless, if not one health or educational centre in our country has been shut down, if we have managed to maintain our very low rates of mortality and morbidity, it has been thanks to the excellent Cuban health-care and educational systems and to the full-time dedication of the people who work in our centres, as well as to the assistance provided by our institutions and to the selflessness and solidarity of each and every one of our people.

The measures adopted by the United States Government on 20 August 1994 to intensify the conditions of the blockade and to place additional obstacles in the way of normal relations between the Cuban émigrés resident in that country and their relatives in the island of Cuba are now being fully enforced. Thus, Cuban nationals residing in the United States continue to be the only persons deprived of their right to enjoy normal relations with their country of origin.

As has been pointed out on more than one occasion, the strengthening of the policy of continued economic aggression against Cuba through political pressure and various threats against sovereign Governments, which is being implemented at both the legislative and the governmental levels, in the well-known circumstances facing my country, is no mere accident, and my country has now abruptly lost more than 85 per cent of its traditional trade.

Nor is it an accident that that policy is being taken to unheard-of extremes at a time when Cuba's major macroeconomic indicators are showing signs of recovery in the national economy and when changes being introduced are just beginning to yield positive results — including an increased interest in our country on the part of foreign investors.

During this year the international community has viewed with deep concern and alarm the approval by the United States Congress of legislative initiatives to move the economic, commercial and financial blockade against Cuba to unimaginable levels, particularly the new extraterritorial dimensions that the most conservative circles in the Congress want to give to a policy that, since its inception, has been designed to impose United States law on third States. To that end they intend to punish with imperial-like severity any State, company and even individual that has economic links with Cuba. Attempts to subject the sovereignty of third States to the designs of United States legislation and to subordinate the norms and principles of international law to the unilateral dictates of one country are becoming more evident and more dangerous than ever. Clearly this would be the ultimate consequence of the adoption of the initiatives that are currently before the United States Congress.

With a total lack of ethical and legal sense, those promoting these new initiatives are attempting to internationalize the unilateral blockade by the United States against Cuba, as if that policy had not already been expressly rejected by the international community in three General Assembly resolutions.

As indicated in the report of the Secretary-General, these new forms of extraterritorial application of United States laws could even lead to Cuban nationals, who have subsequently became American citizens and whose properties were nationalized by law in Cuba in the 1960s, taking legal action in United States courts against foreign investors in Cuba, which would obviously breach international law. Likewise, United States assistance to other countries would depend on the type of relation these may have with Cuba.

My Government cherishes the firm and constant hope of maintaining normal relations with all States, without exception, and our country reaffirms its readiness to settle the differences separating Cuba from the United States by means of dialogue and negotiation based on respect and equality, in the same way, for example, as the talks on migration. Despite that, there are new dangers facing Cuba and its survival as an independent nation. Cuba appeals to the international community not only because of the extraterritorial effects of the blockade, which have a juridical and economic affect on third States as well as us, but also because today, as

never before, it is clear that the United States is attempting to decide, even through legal instruments, the system of government and social structures that should exist in Cuba, as was so starkly stated in the Torricelli Act and the bills before the United States Congress. In energetically rejecting such a presumption, Cuba, an independent and sovereign State, is not only acting in its own interest, but also for the benefit of all States which at any time may find themselves harassed by a more powerful country by virtue of the unfortunate precedent that could now be created. In Cuba, by the sovereign will of the Cuban people, there will be no second Platt Amendment.

These are, in essence, the reasons that underlie the draft resolution contained in document A/50/L.10 which I have the honour of introducing and which was already familiar to most of the delegations present here. The decision this body will soon have to take remains crucial to the respect of the principles enshrined in the Charter of this Organization and international law, and a clear message to those who attempt to violate them. We hope that with the positive vote of the delegations here present, the Assembly will once again reaffirm its commitment to the principles that govern the very existence of this Organization.

Mr. Tello (Mexico) (*interpretation from Spanish*): This session has given Member States the opportunity to reaffirm their solemn commitment to the purposes and principles of the Charter of the United Nations. In the recent Declaration adopted at the Special Commemorative Meeting on the occasion of the fiftieth anniversary of our Organization, we, the Member States, reaffirmed our support for the idea that:

> "the United Nations of the future will work with renewed vigour and effectiveness in promoting peace, development, equality and justice and understanding among the peoples of the world". (*resolution 50/6, fifth preambular paragraph*)

We also undertook to promote methods and means to secure peaceful settlement of conflicts.

In accordance with the foreign policy principles set out in its Constitution and pursuant to its obligations deriving from the United Nations and international law, the Government of Mexico has neither promulgated nor applies any laws of an extraterritorial nature. On the contrary, in a wide range of forums we have rejected unilateral coercive measure that affect the well-being of peoples, hamper free trade, and are alien to universally recognized commercial practices.

The Government of Mexico would like again to voice its concern at the recent adoption in the two houses of the United States Congress of draft legislation known as the "Cuban Liberty and Democracy Solidarity Act". My country respects the sovereignty of States but it is of the view that the provisions embodied in this legislation, by their nature and scope, compromise the sovereignty of third States and the principles of international law and free trade.

We appeal to the sense of justice, equity and international solidarity of the United States Congress to prevent that initiative from becoming law, because if it does come into force, it would amount to a clear breach of international law and a political precedent that would be unacceptable to the rest of the world.

The use of unilateral measures cannot lay any kind of basis for peaceful, secure and harmonious coexistence among States, but merely disturbs the climate for understanding and tolerance. Methods that belong to a bygone age and a clouded vision that is already out of step with the new world situation will not help us to strengthen the rules of a new international political scene. We are convinced that the embargo should be lifted. It is essential to realize that dialogue and negotiation have already proven their effectiveness and have yielded satisfactory results which should and can be built upon.

My delegation will of course vote in favour of the draft resolution contained in document A/50/L.10 because it takes the view that pressure exerted by one country on another has never been and never will be the best way to secure an international order that respects the rule of law.

We reaffirm our conviction that dialogue, conciliation and negotiated political settlements are still fully relevant and valid as the best means of ensuring understanding.

Mr. Kittikhoun (Lao People's Democratic Republic) (*interpretation from French*): Here at its fiftieth session the General Assembly must once again take up the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba". That embargo, which has gone on for more than 30 years now, has not only done damage to the Cuban economy but has above all prevented the Cuban economy from being reintegrated into the world economy.

My country, the Lao People's Democratic Republic, given our obligations under the Charter of the United Nations and international law, has never promulgated or applied laws or measures of this kind. We regard such measures as acts of aggression against the sovereignty of other States and against freedom of trade and navigation.

For four years now the Assembly has been seized of this issue. My delegation deeply regrets that no solution that is acceptable to the parties directly concerned is yet in sight. So, unfortunately, the embargo continues and is even reinforced. The Cuban people has already endured much suffering because of the embargo. Must the suffering continue? For how much longer? Should we just look on indifferently with our arms crossed? Obviously not. What, then, should we do to make a positive contribution to solving this thorny problem?

The Cuban people is a people like all the others on the Earth. They are innocent people who wish only to live in peace and dignity and to enjoy the economic and commercial cooperation of the outside world. We do not think it fair to punish a people, much less condemn it to further suffering and to living indefinitely with such an embargo. For these reasons, the international community must do everything in its power so that a solution agreed upon by the two parties can be found as quickly as possible, which would help to preserve peace and restore confidence between the peoples of this region and throughout the world.

No one here is unaware of the complexity of this problem, but if we all look straight ahead to the future, this problem, just like many other complex problems, stands a chance of being solved. The Lao People's Democratic Republic sincerely appeals to the two parties directly involved — the Republic of Cuba and the United States of America — to enter into serious negotiations and do everything in their power to solve this problem quickly.

The Acting President (*interpretation from Spanish*): Before calling on the next speaker, I should like to propose, if there are no objections, that the list of speakers in the debate on this agenda item be closed at 12 noon today.

It was so decided.

The Acting President (*interpretation from Spanish*): I therefore request representatives who wish to speak in the debate to add their names to the list of speakers as soon as possible.

Mr. Ngo Quang Xuan (Viet Nam) (*interpretation from French*): This is the third time I have spoken to the Assembly on the agenda item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

In this connection, I wish to refer to the statement made by Viet Nam's Minister for Foreign Affairs in which he said that international opinion is becoming increasingly concerned over the fact that the application of sanctions is veering more and more towards becoming a form of punishment or retribution used for specific political purposes, which is at odds with the relevant objectives originally set out in the Charter of the United Nations. In fact, such sanctions affect above all the lives and the health of innocent civilian populations. Hence, the prolongation of sanctions should be regarded as unacceptable because it neither makes them more effective nor takes into account their consequences.

The trend towards the use of dialogue and international and regional cooperation is becoming irreversible. We take the view that the principles of respect for independence and national sovereignty, non-interference in the internal affairs of other countries, mutually beneficial cooperation on a basis of equality, settlement of all disputes through negotiation and non-use or threat of use of force should always govern international relations.

On the basis of these principles, I wish to stress that Viet Nam fully associated itself with all the relevant General Assembly resolutions, such as resolutions 47/19, 48/16 and 49/9, as well as with the declarations recently adopted in Cartagena, Colombia, by the Heads of State or Government of Non-Aligned Countries calling vigorously for the lifting of the economic, commercial and financial embargo against Cuba.

I wish to state once again Viet Nam's position that these laws with extraterritorial effects must be repealed because they are prejudicial to the legitimate trading interests not only of Cuba, but of third countries.

Viet Nam supports all endeavours and measures that can encourage the Republic of Cuba and the United States to undertake negotiations as soon as possible with a view to solving the outstanding problems between them, in keeping with the current trend towards dialogue and cooperation in the world.

In conclusion, I should like to extend the deep sympathy of the Vietnamese people to the people of Cuba, currently suffering so many hardships. In a spirit of understanding and of solidarity with the people of Cuba, the Government and people of Viet Nam have begun, and will continue, activities which lend moral and material assistance to and demonstrate solidarity with the Cuban people as they attempt to overcome the difficulties and the consequences of the blockade policy to which I have referred.

Mr. Londoño-Paredes (Colombia) *(interpretation from Spanish):* I have the honour of speaking on behalf of the Movement of Non-Aligned Countries.

The Movement of Non-Aligned Countries has viewed with growing concern the continuation of the economic, commercial and financial embargo imposed by the United States of America against Cuba. We are naturally surprised to see that in some cases the effects of the end of the cold war seems to go in only one direction. Even more disturbing is the existence of discrimination for clearly political motives.

It is unacceptable to attempt to impose a certain form of conduct upon a State or group of States through unilateral coercion. In the case of the economic embargo against Cuba, such attempts, far from creating support within the international community, have stirred up more and more support for Cuba's Government and especially for its martyred people, for it is they who ultimately suffer the hardships caused by this action.

In various declarations the Movement of Non-Aligned Countries has stated its support for the principles set forth in the resolutions adopted at the forty-seventh, forty-eighth and forty-ninth sessions of the General Assembly entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

At the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held in Cartagena de Indias, Colombia, from 18 to 20 October last, the Movement's position on this issue was reiterated. The Cartagena Declaration states,

> "The Heads of State or Government called upon the Government of the United States of America to put an end to the economic, commercial and financial measures and actions against Cuba, which, in addition to being unilateral and contrary to the United Nations Charter, international law and the principle of good neighbourliness, cause huge material losses and economic damage. They called upon the United States of America to settle its differences with Cuba through negotiations on a basis of equality and mutual respect and requested strict compliance with General Assembly resolutions 47/19, 48/16 and 49/9. They expressed deep concern regarding new bills submitted to the United States Congress that would step up the embargo against Cuba and widen its extraterritorial character."

Elsewhere in the Declaration,

> "The Heads of State or Government condemned the fact that certain countries, using their dominant position in the world economy, continue to step up the adoption of unilateral coercive measures against developing countries that are in clear contravention of international law, such as trade restrictions, blockades, embargoes and freezing of assets, with the purpose of preventing these countries from exercising their right to fully determine their own political, economic and social system and freely expand their international trade. They deemed such measures unacceptable and called for their immediate cessation."

The Heads of State or Government of the Ibero-American countries, which include various countries of the Movement, met recently in San Carlos de Bariloche, Argentina, where they stated,

> "In accordance with the principles enshrined in the Charter of the United Nations, as well as those of the World Trade Organization and of international law, and also in accordance with resolutions of the General Assembly, we reject the unilateral coercive measures that affect the well-being of Ibero-America peoples, impede free exchange and universally accepted transparent trade practices and violate the principles governing regional coexistence and the sovereignty of States.
>
> "At this time we are particularly concerned over normative regulatory changes being discussed in the Congress of the United States that would run counter to these principles, application of which we demand."

Before concluding, in my capacity as Head of the delegation of Colombia, I should like to express our

support for the draft resolution before us and our conviction that it is necessary to eliminate the unilateral application of economic and commercial measures against a State that affect the freedom to carry out international trade.

Once again, we appeal for dialogue and negotiation to be used to find a solution to the differences between the United States and Cuba.

Mr. Valle (Brazil): Since the end of the cold war, international relations have largely lost the confrontational and ideological character they once had. Global tendencies point to a need for increased dialogue and cooperation. Against this background, coercive trade measures of any kind are not appropriate. The international community is bound to condemn unilateral measures that have extraterritorial consequences and affect the legitimate interests of third parties. Brazil believes that the application by any country of laws and measures in violation of resolution 49/9 and previous resolutions on the matter, would be a cause of concern for the international community as a whole. Such laws and measures contradict generally accepted principles of international law. It is therefore appropriate for the General Assembly to take action on this issue.

Moreover, our assessment of the embargo against Cuba is that it only retards the accomplishment of its declared objective — that is, national reconciliation, the enjoyment of freedom and prosperity by the Cuban people and the full reintegration of Cuba into the inter-American community.

I take this opportunity to recall that such measures against Cuba were rejected very recently by several multilateral forums — most notably, the Rio Group, the Ibero-American summit and, as has just been mentioned by the Ambassador of Colombia, the Conference of Heads of State or Government of the Movement of Non-Aligned Countries.

Brazil will vote in favour of draft resolution A/50/L.10 as a means of defending principles of international law, promoting peaceful and friendly relations between States and affirming the principles of cooperation. We expect that a large number of other countries will do the same.

Mr. Mwakawago (United Republic of Tanzania): Allow me to commend the Secretary-General on his report in document A/50/401 and A/50/401/Add.1, dated 20 September 1995 and 20 October 1995, respectively, in connection with agenda item 27, now before the General Assembly.

The implementation of resolution 49/9 of 26 October 1994, entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", continues to attract widespread support among Member States.

Most notable is the fact that all the 48 replies from Governments, as well as six others, from organs and agencies of the United Nations system, recorded in the report affirm compliance with the resolution, in line with the purposes and principles of the Charter and international law. This is a clear indication that the international community is overwhelmingly opposed to the embargo against Cuba.

Therefore, my delegation remains gravely concerned that well after the adoption of resolutions 47/19, 48/16 and 49/9 no progress has been made to do away with measures

> "aimed at strengthening and extending the economic, commercial and financial embargo against Cuba" (*resolution 49/9, seventh preambular paragraph*).

This lack of progress has ominous implications for the lives of ordinary Cuban people.

In this year of the fiftieth anniversary of the United Nations, the need to promote dialogue and to uphold the spirit and letter of the Charter could not be more urgent. Indeed, the post-cold-war spirit demands that nation States coexist in peace and mutual respect, under international law. Tanzania, like many other Member States, believes that the embargo imposed on Cuba, with its extraterritorial nature, does not augur well for international peace and security.

At this point, my delegation wishes to draw the Assembly's attention to the relevant section of the Final Declaration adopted by the Non-Aligned Movement at its Summit Conference held recently in Cartagena, Colombia. This calls for the lifting of the economic embargo against Cuba and urges the United States to settle its differences with Cuba through negotiations, on the basis of equality and mutual respect. Mindful of the adverse effects of the Cuban Democracy Act of 1992 — the "Torricelli Bill" — the leaders of the Non-Aligned

Movement also expressed deep concern about the new Helms-Burton legislation before the Congress of the United States, which seeks to intensify the embargo against Cuba and to widen its extraterritorial nature.

Tanzania, which enjoys very friendly relations with both the United States and Cuba, trusts that a negotiated solution will be possible before the devastating new legislation can take effect. Our belief is strengthened by the proven capacity of the United States, in particular, to broker peace in the Middle East and, now, in the Balkans. There is also the international climate conducive to peace efforts.

I shall conclude by expressing cautious optimism that this time next year the United States embargo against Cuba, which is more than 30 years old, will be on the negotiating table. It is with this in mind that Tanzania supports and will vote for draft resolution A/50/L.10.

Mr. Yoogalingam (Malaysia): We support the statement made by the representative of Colombia in his capacity as Chairman of the Non-Aligned Movement. That statement duly reflects the traditional position taken by the leaders of the Non-Aligned Movement, which was reaffirmed at the Movement's Cartagena Summit.

We have always expressed the view, as reflected in our previous statements on this agenda item, that the matter can best be settled between the two countries themselves. Malaysia acknowledges Cuba's right of resort to the United Nations, particularly on issues involving the question of extraterritoriality. This issue impinges on the fundamental principles of international law and runs counter to a number of resolutions adopted over the years by this body. As we mark the fiftieth anniversary of the United Nations, it is timely for us to reiterate our commitment to those principles. They serve the collective interest of us all, and as Members of the United Nations we are all obliged to support them. Upholding the principles of international law and promoting peaceful and friendly relations between nations are the basic tenets that have governed inter-State relations. Consistent with these tenets, Malaysia will vote in favour of the draft resolution.

Mr. Kharrazi (Islamic Republic of Iran): Just about a week ago, representatives of all States Members of the United Nations gathered here at the highest level to commemorate the fiftieth anniversary of the Organization. In their statements, and by adopting the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations, they not only emphasized the promotion of international cooperation and friendly relation among States, but also reaffirmed their strong commitment to the purposes and principles of the Charter of the United Nations and international law, particularly sovereign equality, non-interference in the internal affairs of other States and the peaceful settlement of disputes.

Despite the end of the cold war and the dawn of a new international environment, certain States regrettably continue to adopt unilateral measures and actions against other States. Specifically, coercive economic measures amounting to economic terrorism and based on the short-sighted interests of those who claim a predominant position in the world run absolutely contrary to the provisions of the Charter and the principles of international law embodied in various international instruments and documents, in particular the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty, and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations. Such measures and actions adversely affect the social and economic development and the humanitarian activities of a target country and consequently hinder the full achievement of human rights by the people subjected to these measures.

It is an undeniable right of every State to choose its political, economic, social and cultural system without interference in any form by another State. In this context, the continuation of the economic, commercial and financial embargo against Cuba, which has inflicted serious losses and has resulted in economic hardship and deprivation for the Cuban people, runs contrary to the purposes and principles of the Charter and the rules of international law. The Islamic Republic of Iran, like other members of the international community, advocates the removal and elimination of all economic and trade embargoes imposed on Cuba and believes that the differences between States should be settled in a peaceful manner. In this connection, the Heads of State or Government of the Non-Aligned Movement, during its eleventh summit conference, held in Colombia two weeks ago, called upon the Government of the United States to put an end to its economic, commercial and financial measures and actions against Cuba.

Cognizant of the economic, social and financial difficulties which the Cuban nation is facing as a result of the unreasonable embargo, my delegation would like to extend its support once again to any step that the General Assembly may wish to take to resolve the issue under consideration. The international community should not remain silent about a situation in which certain States engage in economic terrorism and try actively to undermine the economic or political stability of another State with the aim of imposing a specific political and economic structure on that country.

Mr. Azwai (Libyan Arab Jamahiriya) (*interpretation from Arabic*): The post-cold-war era has witnessed the settlement of many disputes. In many regions of the world, enemies have settled their differences and adversaries have buried the hatchet. This Assembly itself has sought, in its past three sessions, to solve the long-standing problem caused by the imposition by the United States of America of an economic, commercial and financial embargo against Cuba. While many had hoped that the United States would end its coercive measures against the Cuban people, quite the reverse has happened. Not only did the American Administration persist in its usual disregard of the provisions of the Assembly resolutions, including the latest, resolution 49/9, but it has tightened the embargo procedures by applying the set of measures adopted by it in August last year. This is not only a shameful flouting of the will of the majority of the international community but also an affirmation of the determination to persist in the attempt of imposing a political and social system of the United States' choosing on the Cuban people.

The net of anti-Cuba legislation which has been in the making for over 30 years now has hindered most of Cuba's efforts to promote its own economic and social development and has plunged a whole nation into suffering and hunger. I do not believe that the international community needs any figures or statistics to appreciate the magnitude of the damage done, especially in the case of the vulnerable groups of society such as children, the elderly and women, as a result of shortages of medicines, the ban on financial transfers and Cuba's inability to benefit from scientific and technological advances. These unethical practices which are flagrant violations of human rights refute America's claims that it is the defender of democracy, the upholder of international legality, the advocate of free trade and the champion of human rights. These practices push into the limelight the American approach of starving peoples and resorting to measures that have an extraterritorial reach and constrain the freedom of trade by pressuring companies and other countries to prevent them from dealing with the peoples who reject United States hegemony, such as the Cuban people.

The policy pursued by the United States of America against Cuba is not an isolated case. Rather, it is a well-established policy that has been pursued against other countries, including my own. Since 1986, the American Administration has imposed against my country harsh economic measures that have continued to be renewed twice yearly. These include banning American companies from dealing with Libya, preventing Libyan students from continuing their post-graduate education at American universities, and freezing Libyan assets in American banks. As in the case of Cuba, where the American Administration justifies its embargo with pretexts that can only be construed as interference in the internal affairs of Cuba, the pretext used to justify its series of coercive measures against Libya is that Libya poses a threat to United States national security. If one is surprised at America's actions against the Cuban people, just because they decided, of their own free will, to choose their own political and economic system, nobody would be naive enough to believe the claim that Libya poses any threat whatever to America's national security. How could a small country with limited resources such as Libya be a source of threat to anybody, let alone being a threat to the security of the strongest country in the world, the United States of America, which is located thousands of kilometres away from Libya?

The situation, in fact, is quite the reverse. It is Libya that has been the target of continuous American threats and provocations. Libya's security and the safety of its people have been compromised by direct aggression, when hundreds of American military aircraft carried out raids against Libyan cities, demolishing houses, schools, hospitals — leaving behind tens of dead, including women and children. When such acts of aggression and provocation failed to achieve the United States objectives against the Libyan people, the United States created a new problem which has come to be known as the Lockerbie incident. The United States accused two Libyan nationals of being the perpetrators and, instead of accepting Libya's initiatives and the proposals of regional organizations which aim at resolving the problem in the framework of the competent forums, under the relevant conventions, including the 1971 Montreal Convention on the safety of civil aviation, the United States of America has rejected all such offers and has used the United Nations Security Council to impose unjust sanctions on Libya, which have resulted in the death and injury of thousands of people because of

the intensive use of land roads and have caused economic losses in excess of $10 billion.

My delegation, which fully realizes the magnitude of the difficulties that face the Cuban nation as a result of the American embargo, wishes to express its support for any measures the General Assembly may see fit to adopt with a view to seeking an end to this embargo. In this context, it is most important to recall that the principle of the settlement of disputes between States by peaceful means is enshrined in many articles of the United Nations Charter, including Article 2, subparagraph 3, which reads "All Members shall settle their international disputes by peaceful means ...". This principle, which has been reaffirmed since the establishment of the United Nations, has proved its effectiveness in the settlement of many disputes. That is why my delegation hopes that the accumulated residue of the past will not stand in the way of resorting to this principle in seeking to end the long-standing embargo against Cuba, especially since Cuba has repeatedly declared its readiness to resolve the problem within that framework, and has voiced its readiness to seek the settlement of the problem by the appropriate means.

The choice now is the United States'. Either it responds to repeated calls and settles its differences with Cuba and with other countries on this basis, and thereby pursues a course that would be welcomed by the international community as something that meets one of the purposes of the United Nations contained in subparagraph 1 of Article 33 of the Charter, which calls on the parties to any dispute to seek a solution by peaceful means, or it will persist in pursuing the policy of embargoes and boycotts, and thereby make itself the subject of continued international protests, since such coercive measures run counter to the aims and purposes of the United Nations, especially with regard to the promotion of friendly relations amongst peoples.

Such a policy also contradicts the Charter of Economic Rights and Duties of States adopted by the General Assembly at its twenty-ninth session. This Charter states in its article 32 that no State shall use or encourage the use of economic, political or any other measures to pressure any other State into becoming dependent on it in the exercise of its sovereign rights. Moreover, the coercive measures imposed by the United States against Cuba and other countries impede efforts aimed at strengthening the foundations of constructive international cooperation, and are not consistent with the tendency towards the establishment of relations of friendship and cooperation that would strengthen international peace and security. To persist in imposing these measures is to undermine the spirit of trust, and to create a climate of uncertainty for all peoples.

Let the Administration of the United States know that the policy of embargo, starvation and the killing of the elderly and the children will not succeed in subjugating peoples. It is an unjust imperialistic policy of the arrogance of power that has been rejected by all peoples. The Cuban people are the witness to that fact. We salute the Cuban people and every other people that suffers injustice at the hands of the United States, refuses to knuckle under to the arrogance of power and resists the embargo, for it will prevail.

Mr. Poernomo (Indonesia): My delegation views with deepening concern the dispute between Cuba and the United States, which has persisted for the past three and a half decades. It is particularly regrettable that the poor relations between them have been aggravated by the imposition of numerous measures, including a devastating embargo on trade. Further compounding the situation is new legislation intended to further tighten the embargo to the detriment of the interests of the Cuban people. Consequently, Cuba may well face an economic crisis of unprecedented proportions.

Before proceeding, I would like to associate myself with the statement just delivered by the Permanent Representative of Colombia, as Chairman of the group of non-aligned States.

Punitive economic action of such magnitude, and for so long, has already inflicted great suffering and hardship on the people of Cuba and has impeded their development aspirations. The strengthening of international cooperation for development has now become essential; hence, we share the widely expressed view that, in the post-cold-war era, no nation should be deprived of the opportunity to participate freely and without hindrance in the economic, commercial and financial relations between States. To erect barriers in this regard is incompatible with the objective of establishing a new and more equitable international order for stable peace and for economic and social justice.

Continuation of the embargo may well provoke a serious crisis, not only for Cuba but also beyond, with repercussions for regional peace and stability. It is against this backdrop that various international forums, such as the Non-Aligned Movement and the Ibero-American Heads of State and Government, have called

for an end to unilaterally imposed coercive measures directed against other States. Many Member States have also expressed their opposition to the promulgation of laws with extraterritorial effects that thereby adversely impact the interests of other countries.

Cuban-American relations call for a new and refreshing approach taking into account the profound transformation that has taken place on the global scene — including in the Latin American region — where we have witnessed an end to conflict and a strengthening of political, economic and social relationships.

The reintegration of Cuba into regional and international economic life has now become imperative. It would also be in conformity with the sovereignty of nations, the United Nations Charter and the principles of international law. At this juncture, we cannot turn away from those precepts and norms.

Mr. Mazemo (Zimbabwe): My delegation associates itself fully with the statement by the Permanent Representative of Colombia on behalf of the Movement of Non-Aligned Countries.

As we have all said on numerous occasions here before this Assembly, and at other international forums, the end of the cold war opened a window of opportunity for the solution of seemingly intractable international problems. Indeed, many old enmities have disappeared beyond recognition and in their place we have witnessed cooperation, dialogue and reconciliation: former adversaries, who once stood on opposite sides of the ideological divide around the world, have come together to resolve their differences through negotiations and dialogue, as called for in the Charter of the United Nations. We do not believe that the continued crisis between the United States and Cuba has a place in this emerging world order, whose important, integral qualities and cardinal principles should, we hope, be peaceful coexistence and tolerance in a politically, socially and economically diverse world system.

Zimbabwe is deeply concerned at the recently proposed measures to tighten even further the economic, commercial and financial embargo against Cuba. These latest measures aimed at reinforcing the economic strangulation of Cuba curiously — and regrettably — come at a time when the strength of criticism by world public opinion has made this policy increasingly untenable and insupportable. We have made this point in the past and we do so again now: the extraterritorial extension of United States legislation is inconsistent with international law; it violates basic and long-standing rules of international law; and it violates the sovereignty both of Cuba and of its trading partners.

We believe that it is both wrong and immoral for the more powerful Members of the Organization to impose their will on their smaller and weaker neighbours. We have been told on many occasions that the intention of the embargo is to induce a certain social order in Cuba. My delegation is not convinced that this is a judicious way to encourage economic and political reforms: the only effective way of introducing reform is through dialogue and active engagement, and not through isolation, disengagement and embargoes.

The United States has in the past argued that every government has a right to choose the partners with which it wishes to have commercial and political relations. However, we think that, when unilaterally conceived measures negatively impact on the right of other States to engage freely in international trade, then the international community has a right and an obligation to demand a reversal of such measures.

The Charter of the United Nations provides a mechanism for determining the existence of — and the responses to — threats to international peace and security. Under Articles 41 and 42 of the Charter, only the Security Council, after collectively determining the existence of a threat to international peace and security, is empowered by the international community to impose legally binding economic sanctions. In the situation before us today, the existence of a threat to international peace and security has not been collectively determined, and the embargo is therefore a clear violation of international law and of the relevant provisions of the Charter.

The embargo has, over the years, caused untold human suffering to the Cuban people. Cuba's remarkable progress in the areas of public health, education and social welfare, which was matched only in the world's richest countries and used to be the envy of people all around the world, has been crippled by the trade embargo, which effectively prevents Cuba from importing medicines, foodstuffs and other essential commodities. Zimbabwe is in no way convinced of the rightness of the ethics of a policy that denies the free flow of food and medicine to the most vulnerable sectors of the Cuban population: young children, poor women, the elderly and the sick.

The brutally harsh realities that have been visited upon the Cuban people by the blunt instrument of the embargo should be of concern to all Members of the Organization. The ugly scars of this policy stand out in sharp relief as the sad evidence of the collapse of an economy and a social welfare system that once ranked among the best in the world. However, my delegation is convinced that, as they have gallantly done for the past generation, the Cuban people will triumph and justice will prevail.

Zimbabwe believes that the United States, as the world's strongest Power, should lead by example. We indeed take note that the United States is currently playing a crucial mediatory and facilitatory role in significant peace processes elsewhere. We dearly cherish the excellent relations that we enjoy with both the United States and Cuba, and we are very uncomfortable with occasions such as this, when we seem to chastise one of our friends.

What we seek, in so many words, is dialogue and reconciliation, and not confrontation. We therefore sincerely hope that the United States will reconsider its policies, resolve all outstanding differences and put the matter finally to rest.

Mr. Odlum (Saint Lucia): The countries which comprise the Caribbean basin at present enjoy a wide measure of mutual agreement and solidarity on the concerns and issues affecting each other. The recent establishment of the Association of Caribbean States has given fresh impetus to this flowering consensus, and Cuba is a member of that Association.

The Government of Saint Lucia is pleased to support the draft resolution entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

The history of the debate of the issue of the United States embargo against Cuba appears to be nothing but a dialogue of the deaf. It is a dialogue of the deaf because this Assembly has debated resolutions of this same genre for the past three years. The majority voice has strengthened on every occasion as the General Assembly adopted the parent resolution, 47/19, with 59 votes in favour in 1992. In the following year General Assembly resolution 48/16 was adopted with 88 votes in favour, and in 1994 the General Assembly voted convincingly to end the embargo by 101 votes to 2, with 48 abstentions. Two cold-war allies stood firmly against the general will of the Assembly.

Subsequent action by the organizers of the blockade in tightening it instead of deferring to the spirit and intention of the resolutions of the Assembly constitutes a flagrant act of disrespect for the principles and organs of the United Nations. On 21 September this year, the House of Representatives of the United States Congress adopted, by a two-thirds majority, a new law containing specific provisions which exceed the Torricelli Act of 1992 in increasing the severity of the economic blockade.

Saint Lucia is deeply concerned that a founding member of this Assembly, which also enjoys the distinction of being the host country to the United Nations, should so trivialize the conclusions of the General Assembly and seek to flout the will and the expressed wish of the international community. The clear intention of the Helms-Burton bill is to penalize third States which maintain economic and commercial relations with Cuba and to use the force of the law of the United States to impose sanctions against persons, companies and countries seeking to conduct trading and commercial relations with Cuba.

The extraterritorial nature of this legislation is offensive to small countries like ours and seriously undermines fundamental notions of sovereignty and equality which constitute the pillars of the Charter of the United Nations. The expressions of good intentions to preserve the spirit of the Charter which we heard consistently throughout the debate at the Special Commemorative Meeting of the Assembly should strengthen the resolve of Member States not to place in jeopardy the fundamental tenets of our much-revered institution.

The Foreign Ministers of the Caribbean Community (CARICOM) States and their representatives met at a special meeting in New York last month and discussed the question of the United States embargo against Cuba in the light of the new Helms-Burton legislation. There was strict unanimity on the undesirability of the new provisions and a concerted decision to renew the call for an end to the Cuban blockade. Saint Lucia has repeatedly discussed with our Cuban colleagues concerns about questions relating to human rights and democracy in Cuba; we are convinced that there is a strong mood for change and reform in Cuba and the impact of the economic blockade might well be counter-productive in slowing down the process of economic liberalization rather than accelerating it.

Unbiased observers of the Cuban economy must note a tremendous swing of the pendulum in the direction of liberalized trading and fiscal and monetary reform in the Cuba of the nineties, as opposed to the Cuba of the sixties. In the sixties, foreign commerce in Cuba was centralized in 20 companies. Today, 225 Cuban companies and 595 authorized representatives of foreign firms are engaged in commercial operations. The original concentration of land and cooperatives in large State agricultural companies averaging 12,000 hectares each has given way to 4000 cooperatives with an average size of 1000 hectares each. Private markets have also been established for the sale of agricultural products. In the employment sector self-employment, which was previously eliminated in the sixties, has been re-established and there is now a healthy small trading sector in Cuba which is further stimulated by the relaxation of foreign currency restrictions.

Adversity sometimes brings its share of positive benefits and the Cuban economy has been seriously challenged in terms of down-sizing and structural change. There has been a serious dismantling of unwieldy State apparatus and a welcome reduction in the number of personnel and functions of State organizations which a number of United Nations Member States, and even the United Nations itself, might envy. In 1992 the Cuban Parliament approved a constitutional amendment which modified existing laws in respect of the Cuban State's acknowledgement of property rights, the rights of joint ventures, and economic associations with foreign capital investments. This freeing-up of joint-venture activity is one of the effective routes to Latin American and Caribbean integration resulting in the signing of 50 joint ventures with Mexican, Argentinean, Venezuelan, Chilean and Caribbean companies.

This is clearly not the time to alienate and isolate. This is a time to embrace and consolidate. My delegation to the fiftieth anniversary Special Commemorative Meeting of the Assembly was disappointed when a certain delegation vacated its seat whenever a country which it perceived to be its enemy took to the podium. This protest action inside the very sanctuary of free speech is a clear violation of the spirit of San Francisco. The entire *raison d'être* of the United Nations is threatened when countries which disagree refuse to listen to each other.

In the same vein, Saint Lucia makes a special plea for the adoption of draft resolution A/50/L.10, in deference to the cumulative wish of the international community that this attack on the impoverished women and children of Cuba should stop and the courage and creativity of the Cuban people be allowed to blossom and bear the fruit of total assimilation into the international community.

Mr. Surie (India): I will be very brief. Consistent with the position of my Government on this issue, my delegation supports the draft resolution contained in document A/50/L.10. The position of my Government is in conformity with the established position of the Non-Aligned Movement, wherein the Movement has called *inter alia* upon the United States of America to settle all its differences with Cuba through negotiations on the basis of equality and mutual respect. We believe that there is great merit in this approach.

Mr. Jele (South Africa): My delegation is pleased to have this opportunity to express its views on the necessity of ending the economic, commercial and financial embargo by the United States of America against Cuba. My delegation speaks on behalf of the ordinary people of South Africa when we record that we are deeply indebted to the Government and people of Cuba for the selfless contribution they made to the anti-colonial and anti-apartheid struggle in southern Africa. It is therefore not surprising that in recent months a number of prominent South African corporations have joined European and other companies in fostering trade and industrial joint ventures with Cuba.

The economic embargo against Cuba is a product of the cold war. Innocent civilians have suffered, and continue to suffer, immensely as a result of this policy. My delegation rejects the notion that the people of Cuba should be starved into ideological submission.

In this new post-cold-war era, highlighted by a recent re-commitment to the purposes and principles enshrined in the Charter of the United Nations, Member States should encourage and promote policies of free and unhindered engagement in the global economy. We are particularly concerned that additional measures, which will expand the extraterritorial scope of the embargo, are being considered. These measures will have the counter-productive effect of infringing on the sovereignty of other States and the legitimate interests of their nationals.

It is our fervent hope that a process of open and constructive dialogue between the relevant parties will result in this item being removed from the agenda of the General Assembly in the near future. My delegation therefore expresses support for the resolution before us.

Ms. Durrant (Jamaica): The item before us, "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba", has been discussed at all sessions of the General Assembly since 1991. In those sessions, Jamaica, through its votes, expressed its views on resolutions similar to draft resolution A/50/L.10 now before us.

Jamaica's national policy of peaceful engagement has followed a different course to the one advocated in the embargo. We, of course, believe our way to be the correct one if Cuba is to be peacefully reintegrated into the community of nations of the Americas. All evidence indicates that this process is under way, and we are encouraged by the extent of the progress that has so far been achieved. We therefore reiterate our concern, previously expressed in this very Hall and on other occasions, at any initiative that would further complicate regional trading arrangements through national legislation which has an overwhelming extraterritorial character.

It is our hope that, in the very near future, the parties most directly involved will find an amicable solution to the problem which draft resolution A/50/L.10 seeks to address. National development, bilateral relations and, indeed, the very far reaching initiatives now under way in the Americas will then not be inhibited by the constraints imposed by such an embargo. My delegation will therefore vote in favour of draft resolution A/50/L.10.

Mr. Marrero (United States of America): The United States deeply regrets that the General Assembly is again considering a resolution on the United States economic embargo of Cuba. My Government has consistently taken the position that this embargo is a bilateral issue not properly considered by this body, and that the United States, like other nations, has the sovereign right to determine its bilateral trading relationships. Nevertheless, my Government recognizes that many countries disagree with this aspect of United States policy towards Cuba. We are confident, however, that the delegations supporting this resolution share the objective of United States policy towards Cuba — a peaceful transition to a democratic system in which human rights are fully observed.

This policy of my Government towards Cuba has evolved considerably since the General Assembly last considered this question. The United States, responding to a wave of dangerous and uncontrolled migration between Cuba and the United States, and to the mutual desire of both countries to regularize migration relations, reached accords on migration which provide for legal migration to the United States of at least 20,000 Cuban citizens per year. In addition, Cubans seeking to enter the United States illegally are no longer automatically allowed to do so, but are returned to Cuba. In another significant step, my Government announced on 6 October of this year a series of important measures aimed at fostering increased contacts and heightened communication with the Cuban people. These measures include the authorization of the reciprocal establishment of news bureaux, greatly increased academic, cultural and scientific exchanges, and facilitation of emergency family visitation. They should contribute to the development of that civil society so noticeably lacking in Cuba, which in turn could provide a basis for the peaceful transition to democracy we believe the international community desires.

In other, related developments, the United States Government has licensed, since 1992, over $100 million worth of private humanitarian donations from the American people and United States non-governmental organizations to the Cuban people, making the people of the United States the Cuban people's largest donor during this period. Direct telephone communications between our two countries have been dramatically improved, facilitating better communication between our two peoples. Finally, the Government of the United States has indicated repeatedly over the past year that it is not wedded to indefinite continuation of the embargo, but is prepared to reduce its sanctions in carefully calibrated ways should there be significant political and economic reform in Cuba.

These are positive, constructive developments in United States policy toward Cuba, steps in a direction we believe the international community welcomes. They are not, however, reflected in this draft resolution. At the same time, there has been little, if any, progress in Cuba that would justify increased international support for the position of the Cuban Government. The human rights situation in that country, which has been rightly condemned by this body at each of the last several sessions of the General Assembly, remains deplorable. There are no indications from the Government that a political opening is being considered. To the contrary, the leader of the Cuban regime made clear, during his recent attendance at the commemorative meeting on the fiftieth anniversary of the United Nations, the intention of his Government to maintain the repressive status quo. Such economic measures as have been introduced have been carefully designed to preserve the Government's control over the population and to avoid any commitment to

thoroughgoing economic reform, let alone any movement towards free elections.

The Cuban Government seeks to convince many Member States that the United States embargo is the cause of all of Cuba's problems, economic and otherwise. Dispassionate analysis, however, reveals that the real cause of these problems lies with the Government's misguided economic policies and the suppression of private initiative. What is lacking in this unbalanced draft resolution is any mention of the context of United States policy, which is the urgent need for meaningful political and economic change of the island. It has been the hope of many nations that such change could come about merely by virtue of increased contact between Cuba and the international community, without pressure of the kind supplied by our economic embargo. Sadly, the hopes of these nations have not been realized. We have therefore concluded that, unpopular as our economic sanctions may be in this body, their continued application is necessary.

The United States recognizes that the people of Cuba must decide their own destiny. We have no hostile intent towards them. Rather, we wish to help, not only by reaching out directly to them through the measures I have outlined but also by continued pressure on the Cuban Government to effect long-overdue changes. We want, as we know most of the other Members of the United Nations want, to give the Cuban people hope for a better future. In this sense, the United States embargo stands as a symbol of our faith, together with the faith of the Cuban people, that the trampling of their basic rights and freedoms has not been forgotten.

For these reasons, the United States cannot vote in favor of the draft introduced under agenda item 27.

The Acting President (*interpretation from Spanish*): Having heard the last speaker in the debate on this item, we shall proceed to consider draft resolution A/50/L.10.

I shall now call on those representatives who wish to explain their votes before the voting. May I first remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Ms. Yang Yanyi (China) (*interpretation from Chinese*): In its resolutions 47/19, 48/16 and 49/9, the General Assembly reiterated such principles as equality of national sovereignty, non-intervention and non-interference in the internal affairs of another country, and the international freedoms of navigation and trade, and called on all countries to fulfil their commitments and obligations under the United Nations Charter and to abide by these principles and by international law. This reflects the just aspirations of the international community.

The cold war is over, but it does not follow that its results will disappear of their own accord. The economic, commercial and financial embargo against Cuba by a certain country, which has lasted for more than three decades, is a classic example. The embargo has caused enormous difficulties for Cuba's economy and great suffering for the Cuban people. It has also gravely impeded Cuba's attempts at opening up and at reform and has hampered its normal economic and trade relations with third countries. The international community cannot but continue to express its utmost regret and grave concern over this.

The Chinese Government has consistently held that all countries have the right to choose their own social systems, ideologies and roads to development in the light of their respective national conditions, which cannot be infringed upon by any other countries. To impose an embargo or blockade or to resort to power politics in any other form runs counter to the principles of international law and the basic norms governing relations between States.

We strongly appeal to the country concerned to go along with the trend of the times and — in accordance with the purposes and principles of the Charter of the United Nations, the norms of international law and the relevant General Assembly resolutions — immediately to repeal its laws and measures aimed at blockading Cuba's economy, commerce and finance. We urge it to enter into negotiation and dialogue with Cuba on the basis of equality and respect for Cuba's independence and sovereignty, so that the Cuban people, free from external interference, can revitalize their economy and social development and enhance their economic and trade contacts and cooperation with other countries.

In view of these considerations, the Chinese delegation will vote in favour of draft resolution A/50/L.10.

Mr. Yáñez-Barnuevo (Spain) (*interpretation from Spanish*): I am speaking on behalf of the European Union in explanation of vote on the draft resolution contained in document A/50/L.10.

The European Union strongly favours a peaceful transition to democracy in Cuba. We are concerned about the negative effects of the embargo on the situation of the Cuban population. However, this is not the only reason for the difficult situation in Cuba. Because of its economic and political choices, the Cuban Government is also responsible for the deterioration of the situation in the country.

The European Union condemns the repeated violations of human rights in Cuba, particularly in the political sphere. The European Union considers it supremely important to scrupulously respect human rights and fundamental freedoms in Cuba and to deepen the institutional and economic reforms in the country.

The Cuban Government has embarked on a process of economic reform that we hope will enable the country to overcome the present economic crisis and pave the way towards a more comprehensive plan to move to a market economy. In the political sphere, the Cuban regime retains a firm monopoly on political power. Additional efforts to promote dialogue and cooperation at all levels are required to make possible the necessary evolution towards democracy and pluralism, as in other parts of Latin America. In this context, the European Union believes that stepping up contacts is the best way to give impetus to the transition to a democratic system. The European Union has decided to enter into a political dialogue with Cuba in order to identify the most appropriate framework for future relations between the Union and Cuba for promoting the acceleration of the internal reform process.

The European Union's opposition to the extraterritorial application of restrictive domestic legislation is well known. Accordingly, we have always rejected the United States actions intended to involve third States in the application of commercial measures that fall exclusively within the scope of the foreign or security policies of the United States. We have therefore opposed legislative initiatives designed to tighten even more the unilateral commercial embargo against Cuba by the extraterritorial enforcement of United States domestic law, in particular through extraterritorial provisions designed to discourage companies from third countries from maintaining trade relations with Cuba. We believe that such measures violate the general principles of international law and the sovereignty of independent States. The European Union therefore takes a negative view of the passing by both Houses of the United States Congress of their respective versions of the Cuban Liberty and Democratic Solidarity Act and reiterates its opposition to the adoption of any measure of extraterritorial scope or in contravention of international norms, in particular those of the World Trade Organization.

The European Union cannot accept the United States unilaterally determining or restricting the European Union's economic and commercial relations with any State.

The European Union believes that the United States commercial embargo against Cuba is primarily a matter that has to be resolved bilaterally between the Governments of the United States and of Cuba. The States members of the European Union will have these concerns in mind when voting on the draft resolution before us.

Mr. Chulkov (Russian Federation) (*interpretation from Russian*): The delegation of the Russian Federation will vote in favour of the draft resolution on the necessity of ending the economic blockade of Cuba because, as a matter of principle, we cannot accept attempts by States to extend their domestic jurisdiction beyond the borders of their own territory. In our opinion, such actions are a violation of existing international legal norms and are damaging to third countries.

The Russian Federation believes that attempts to strangle Cuba economically by means of an embargo are counterproductive and likely only to exacerbate the economic situation of most of that country's people. Moreover, such efforts could also retard democratic changes and economic reforms already under way in Cuba. In this connection, the attempt to legislate further measures to tighten the economic blockade against Cuba and to give international scope to such measures is very disturbing to us — as, indeed, it is to many other countries. Here, we make specific reference to the well-known Helms-Burton Bill, called the "Cuban Liberty and Democratic Solidarity Act of 1995". It is our belief that the lifting of the economic, trade and financial embargo imposed by the United States of America against Cuba and a general easing of tensions in Cuban-American relations would in fact help to move Cuban society forward towards further democratization and greater openness.

The Russian delegation believes that mutually acceptable settlements in the whole range of issues in Cuban-American relations with a view to their normalization should be sought primarily through constructive bilateral dialogue and a broadening of the negotiating process between the two countries. In this

connection we view certain measures recently taken by the United States Administration as very timely and useful. Those measures include the reduction of restrictions on travel to Cuba, the provision of humanitarian assistance, and increased cultural and information exchanges.

Russia, for its part, has always been guided by the principles of the sovereign equality of States, non-intervention in their internal affairs and freedom of international trade and navigation — points mentioned in the draft resolution before us today. Russia continues to develop and maintain normal trade and economic relations with Cuba on the basis of the principles of common benefit and mutual advantage. We have trade ties with Cuba that are strictly in accordance with generally accepted international norms, without any type of discrimination whatsoever, and we use world prices.

At the same time, we would emphasize that our policy on lifting the economic blockade against Cuba does not in any way imply any change in our position of principle on the issue of respect for human rights in that country.

Mr. Izquierdo (Ecuador) (*interpretation from Spanish*): The delegation of Ecuador will vote in favour of the draft resolution on the necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba because of Ecuador's opposition to discriminatory unilateral economic practices that go against the principles of free trade and circulation of goods, darken the atmosphere of international relations, impede the peaceful resolution of differences between States, hamper the economic and social integration of peoples and harm innocent civilian populations.

Allow me to recall that in the Final Declaration of the Ninth Meeting of Heads of State and Government of the Rio Group, held in Quito on 4 and 5 September of this year, our leaders expressed their concern

> "at attempts to enforce domestic laws beyond territorial boundaries in violation of international law and the fundamental principles governing coexistence in the region. Such actions violate the sovereignty of other States and are contrary to unanimously accepted transparent trade practices". *(A/50/425, para. 13)*

Lastly, my delegation wishes to say, as it did at the forty-ninth session of the General Assembly, that Ecuador has never established any legal or political measure that might impede relations with Cuba, as it has communicated officially to the United Nations Secretariat.

Mr. Lamptey (Ghana): Ghana will vote in favour of the draft resolution before us, as it has in the past, on the draft resolution on this item, and as it will in the future should this item still come before the Assembly.

Whatever the circumstances, whatever the fears that form the basis of the institution of an embargo against Cuba by the United States more than 30 years ago, the world has undergone tremendous changes today. Cuba itself has changed. I have listened carefully to the statement of the representative of the United States. We do not share these views. Whatever the analysis, it is the will of the Cuban people that should determine the order of that society. The suffering of the Cuban people must be brought to an end. Even if one accepts the thesis that the Cuban Government contributes to the hardship of its own people, the fact remains that without the embargo things would have been easier on the people of Cuba.

We appeal to the United States to bow to the will of the international community, to listen to the voices of its own allies and its neighbours and lift the embargo on Cuba so that the people of the martyred nation that is Cuba can have peace to make progress in social and economic development.

The Acting President (*interpretation from Spanish*): We have heard the last speaker in explanation of vote before the voting.

The Assembly will now take a decision on draft resolution A/50/L.10.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Dominica, Ecuador, Eritrea, Ethiopia, Finland, France, Gambia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Kazakstan, Kenya, Lao People's Democratic

Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Monaco, Mongolia, Mozambique, Myanmar, Namibia, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Portugal, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Seychelles, Sierra Leone, Singapore, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe

Against:

Israel, United States of America, Uzbekistan

Abstaining:

Albania, Armenia, Bhutan, Czech Republic, Egypt, El Salvador, Estonia, Georgia, Germany, Guatemala, Hungary, Japan, Kyrgyzstan, Latvia, Lithuania, Maldives, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Morocco, Netherlands, Niger, Oman, Palau, Poland, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saudi Arabia, Slovakia, Slovenia, Swaziland, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland

Draft resolution A/50/L.10 was adopted by 117 votes to 3, with 38 abstentions (resolution 50/10).

[Subsequently, the delegation of Kuwait advised the Secretariat that it intended to vote in favour.]

The Acting President (*interpretation from Spanish*): I shall now call on those representatives who wish to explain their vote.

May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Cárdenas (Argentina) (*interpretation from Spanish*): In previous years, the delegation of Argentina abstained in votes on draft resolutions similar to that just adopted by the Assembly because it understood that the content created problems of a bilateral nature, between two Member States with which we have deep relations of friendship.

Nevertheless, the measures referred to in the resolution seem not to have had what was certainly the desired effect. Furthermore, the starting-point of any sanctions should be their application for a reasonable and limited amount of time, depending on each individual case.

We would like to point out that Cuba is introducing a series of major reforms in the economic sphere. These are designed to increase openness and a degree of freedom in its economy. Hence, these measures should not be discouraged. The Government of Argentina trusts that the Government of Cuba will broaden these reforms. Furthermore, it hopes that Cuba will gradually extend these reforms to the political and human rights spheres. We attach fundamental importance to human rights. Thus, values that are essential to the peoples of the continent will be affirmed — that is, democracy, respect for human rights and the fundamental freedoms of the human being.

For those reasons, my delegation voted in favour of the resolution just adopted, although we would like to make it specifically clear that we will continue to press for the need for greater democratic reform in Cuba.

Mr. Fukushima (Japan): I have asked to speak in order to explain, for the record, Japan's position in abstaining in the voting on the draft resolution contained in document A/50/L.10.

Japan continues to have the doubts it has indicated in the past three years, as to whether a discussion at the General Assembly may actually be conducive to resolving, in a constructive way, the question of the United States embargo against Cuba.

This question is very complex in nature. Japan wonders if the resolution that has just been adopted can in fact properly address the question in all its complexity. If it cannot, the question will remain unsettled until a better way is found to achieve an appropriate solution.

Mr. Vivas (Venezuela) (*interpretation from Spanish*): In recent years, the international community has, through dialogue and direct negotiation, made significant progress with regard to economic and trading cooperation. It has also taken major steps towards universal peace and democracy and solidarity.

Any discriminatory trading practice, any imposition of unilateral economic measures or extraterritorial application of domestic laws hampers this process and is unacceptable and incompatible with the standards of international law and the principles embodied in the Charter of the United Nations.

It is impossible to conceive of a just social and economic international order in which one State imposes commercial, economic and financial restrictions on another. It is unacceptable to seek solutions to bilateral political differences through military or economic coercion or through any other kind of pressure that infringes on the sovereignty and independence of nations and has a detrimental effect on the well-being of peoples.

The adoption of measures of this kind in no way contributes to the resolution of differences. Quite the contrary, it provokes unnecessary confrontations that affect the population without changing the regime against which they are imposed. My Government rejects this type of measure and considers that the embargo against Cuba should end.

On the basis of these considerations, we decided to vote in favour of the resolution. This, however, should not be interpreted as an expression of support by the Government of Venezuela for any particular political regime. We believe that the arguments presented against the embargo are valid, regardless of a particular country's political situation. The promotion of democracy, which for us is fundamental, should not be mixed up with coercive unilateral measures of indefinite duration. The result of the voting confirms our collective desire to condemn any unilateral act of aggression against the integrity of any nation or its right to self-determination.

Mrs. Teo-Jacob (Singapore): This year Singapore changed its vote on the resolution on this issue from one of abstention to one of support. In doing so, we take no position on the specific bilateral problems leading to the imposition of the embargo against Cuba many years ago. This is a matter for the two countries to settle bilaterally.

However, our view is that international relations have evolved to the point where the principle of free trade should be the primary consideration for the international community. Our view is that sanctions should be used only in extremely serious cases, and then only upon the authority of the Security Council. The unilateral imposition of sanctions with extraterritorial applications is a dangerous trend that will distort free trade, to the ultimate detriment of the entire international community. All nations should be able to trade freely and openly with any other nation, regardless of political views. Openness and engagement are the best ways to build a true community of nations.

Mr. Malik (Iraq) (*interpretation from Arabic*): The delegation of Iraq regrets being unable to vote on the draft resolution just adopted because of the conditions of the embargo imposed upon it, which deprive Iraq of the right to vote. Had we had the opportunity, we would have voted in favour of the resolution.

The embargo imposed against the Cuban people is a flagrant violation of the principles of the Charter of the United Nations, since it aims at achieving political objectives which have nothing to do with international peace and security. Furthermore, the embargo runs counter to the most basic of human and moral values. Iraq calls for an end to such practices whose aim is to strip peoples of their right to life, freedom and dignity and to deprive nations of the opportunity to achieve social and economic development.

Mr. Fowler (Canada): Canada once again supported the resolution on this issue. Canada has followed its own policy on Cuba, believing that engagement rather than isolation is the best means of encouraging reform in Cuba. Canada's primary concern with respect to the embargo remains its intended extraterritorial reach — the way in which the laws and regulations governing the embargo seek to constrain the freedom of trade of third countries such as Canada.

Canada has always taken a vigorous stand against these and similar measures. At the same time, the embargo cannot be blamed for all of Cuba's problems. In our view, economic and political reform in Cuba is needed for Cuba to overcome its current difficulties and achieve its potential.

In addition, I would like to mention our continuing concerns over the state of human rights and democratic development in Cuba, which fall short of internationally accepted standards. We will continue, both bilaterally and in the forums offered by the United Nations, to press for improvement in these areas.

Mr. Jallow (Gambia): My delegation voted in favour of the draft resolution contained in document A/50/L.10, which asserts some of the cherished principles enshrined in the Charter of the United Nations, because it serves as a relevant reminder of the

importance of the status quo of sovereign equality and interdependence of States, particularly States Members of the United Nations.

The continued imposition of the commercial and financial embargo by the United States of America against Cuba contradicts the spirit and letter of the guiding principles on which our Organization is founded. The Gambia joined other countries in voting in favour of lifting the embargo because the embargo runs counter to principles of international cooperation and development.

Justification for continuing the embargo has been dimmed by three decades of development in social, economic and human rights areas, as well as in international relations, both in Cuba and globally. Cuba and Cubans remain in control not only of their destiny but also of the socio-economic welfare of Cubans. In spite of the hardships imposed by the embargo, Cuba continues to develop at a progressive rate, even assuming a major international role in medicine and genetic engineering. In addition, Cuba continues to enjoy a period of stability and consistent development, which is critical to the welfare of its people.

It is for these reasons that the Gambia decided this year to vote in favour of the resolution just adopted.

The Acting President *(interpretation from Spanish):* We have heard the last speaker in explanation of vote after the vote.

May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 27?

It was so decided.

Agenda item 156 *(continued)*

Multilingualism

(a) Draft resolution (A/50/L.6/Rev.1)

(b) Amendments (A/50/L.8 and A/50/L.9)

Mr. Butler (Australia): My delegation has given very considerable thought to the issues addressed in draft resolution A/50/L.6/Rev.1. Let me say immediately that this is an important subject. It is an important subject to the United Nations. It is an important subject to Australia.

Under those circumstances we have shared the view of the many who have thought that this draft resolution would be best adopted by consensus. We doubt that there has been a sufficient amount and quality of consultation to make that possible. In particular, in that context, we have been concerned that there should perhaps have been a fuller exploration of the extent to which this draft resolution has bearing upon, and relates to, the established regulations of the United Nations, established pursuant to Article 101 of the Charter, under which the terms of employment and conditions of the staff of the Organization are settled and conducted.

Having made these points, I now come specifically to the text in draft resolution A/50/L.6/Rev.1. My delegation could look upon it with favour if it were to be amended in two places. I am well aware of the rules of the General Assembly with respect to oral amendments. Nevertheless, I hope that what I am now going to present can be given favourable consideration.

First, in the fourth preambular paragraph, there is regrettably no reference to one of the principal organs of the United Nations, an organ the range of which and the work of which are very extensive and are therefore of the deepest interest to so many Member States. I refer, of course, to the Economic and Social Council. I propose therefore to complete this preambular paragraph by adding a reference to the rules of procedure of the Economic and Social Council after the words "Security Council". The words that would be added would be as follows:

> "and Arabic, Chinese, English, French, Russian and Spanish shall be the official languages and English, French and Spanish the working languages of the Economic and Social Council"

and then superscript 3 with a footnote reading "Rule 32 of the rules of procedure of the Economic and Social Council". Thus we would follow precisely the same terms as are used in this preambular paragraph in reference to the General Assembly and its Committees and subcommittees and the Security Council, and would simply repeat the exact words that are found in rule 32 of the rules of procedure of the Economic and Social Council, with a footnote reference to that effect.

Very interestingly, in addition to the points I have made about the extreme importance to so many of us of

the work of the Economic and Social Council, the Council, unlike the other organs cited in this paragraph, provides that Spanish shall also be a working language of that body.

My second proposed amendment is in paragraph 3. Here I would propose that a reference be made to the Charter of the United Nations. I point out that nowhere in the draft resolution is reference made to the fundamental provision of the Charter under which the staff of the Organization are recruited and the regulations to that effect are drawn up. There is a reference to the Charter — not by way of a citation, just to its title — in the second preambular paragraph, after which a contention about multilingualism is advanced. But there is no precise reference to the Charter in the draft resolution. My delegation considers that to be a deficiency that we can readily remedy by adding to paragraph 3, after the words "to ensure that", words referring to Article 101 of the Charter, as follows:

> "appointment of the staff of the Organization shall be carried out strictly in accordance with the terms of Article 101 of the Charter and regulations established by the General Assembly pursuant to Article 101, and that".

I am aware that these are oral amendments. They may need reflection. I would urge all representatives to recognize that they derive directly from the rules of procedure of the Economic and Social Council and from the Charter of the United Nations. With amendments such as these I believe the draft resolution would be much improved and would certainly then commend itself to my delegation and, I would hope, to others.

The Acting President *(interpretation from Spanish)*: I thank the representative of Australia. His oral amendments will be taken into account and decided upon when we proceed to the vote on draft resolution A/50/L.6/Rev.1.

In view of the lateness of the hour, the General Assembly will continue its consideration of agenda item 156 this afternoon.

The meeting rose at 1 p.m.